

**WASHINGTON STATE BOUNDARY REVIEW BOARD  
FOR KING COUNTY**

**REGULAR MEETING MINUTES**

**August 14, 2003**

**I. CALL TO ORDER**

Chair Jim Denton convened the meeting at 7:00 p.m.

**II. ROLL CALL**

Ellen Abellera	Van Anderson
A. J. Culver	Ethel Hanis
Claudia Hirschey	Roger Loschen
Judy Tessandore	

**III. MINUTES**

Regular Meeting: Chair Denton presented the minutes of the Regular Meeting of July 10, 2003 for review and action by the Board members.

Roger Loschen expressed concerns with the following statements reported in those minutes.

- The July 10, 2003 Regular Meeting Minutes (page 3) includes the following statement:

“The Legislative Consultant and Association representatives are not permitted – and have never acted -- to recommend that legislators vote in a particular way on a specific bill. To advise legislators to vote “yea” or “nay” on a particular bill exceeds the authority of publicly funded agencies to work with the Legislature”.

Mr. Loschen is requesting that Mrs. Blauman verify that statement and, if the statement is correct, to amend the minutes to clearly attribute that statement to a specific speaker.

- The July 10, 2003 Regular Meeting Minutes (page 4) includes the following statement:

“There was general agreement among the members of the Board that it would be prudent to accept Mr. Kaufman’s interpretation of RCW 42.17 and RCW 36.93. More specifically, the Association, its members and its legislative consulting staff are permitted only to provide legislators with information/analysis concerning bills that directly and indirectly interest boundary review boards. The Legislative Consultant may be reimbursed for services. Board members may not receive compensation for their activities.”

Mr. Loschen is requesting that Mrs. Blauman verify that Mr. Kaufman’s statement is accurately reported.

*Action: Ethel Hanis moved and Claudia Hirschey seconded the motion to table the minutes of the Regular Meeting of July 10, 2003 until Mrs. Blauman is able to review the proceedings of the meeting and confirm the accuracy of the minutes. The Board voted (7 in favor; 1 abstaining) to adopt this motion. Ellen Abellera abstained, as she did not attend the July 2003 Regular Meeting.*

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**NOTE:** As requested, staff reviewed the audio tapes of the July 10, 2003 meeting and conferred with Mr. Kaufman concerning his presentation on July 10. The initial reporting of Mr. Kaufman’s presentation is confirmed as correct -- however, staff recommends that the Board consider the following modifications to clarify the originally proposed statements:

Page 3 - Recommended New Language: “Special Assistant Attorney General Robert Kaufman stated that the Legislative Consultant and Association representatives are not permitted to recommend that legislators vote in a particular way on a specific bill. To advise legislators to vote ‘yea’ or ‘nay’ on a particular bill exceeds the authority of publicly funded

agencies to work with the Legislature. Mr. Kaufman and Mrs. Blauman stated that Association officials have reported that their representatives (consultants and members) are consistently instructed to avoid advising legislators to vote in favor of or opposition to a bill."

Page 4 - Recommended New Language: "There was general agreement among a majority of the members of the Board that it would be prudent to accept Mr. Kaufman's interpretation of RCW 42.17 and RCW 36.93. More specifically, Mr. Kaufman, in his interpretation of RCW 42.17 and RCW 36.93, stated that the Association, its members and its legislative consulting staff are permitted only to provide legislators with information/analysis concerning bills that directly and indirectly interest boundary review boards. Mr. Kaufman stated that, under RCW 42.17, the Legislative Consultant may be reimbursed for services. Mr. Kaufman believes that, according to the provisions of RCW 36.93 and RCW 42.17, Board members may not receive compensation for their activities."

#### **IV. SPECIAL PROGRAM**

Chair Denton introduced Karen Reed and Mike Thomas, representatives from the King County Office of the Executive. Chair Denton reported that Ms. Reed and Mr. Thomas would be presenting the following Special Reports:

- A. King County Executive Budget Task Force Report Ms. Reed and Mr. Thomas provided summary materials from the Executive's Budget Advisory Task Force Report. The Task Force, launched in 2002, was charged with examination of the County's General (Current Expense) Fund. More specifically, the Task Force considered a range of general government policies and programs as well as the budgets supporting those functions, including law and justice, public health, human services, parks and central government services. Currently the County provides services to a population of 220,000 people living in unincorporated King County and to an additional 134,000 people living in rural areas.

In June 2003, the Task Force issued a report outlining issues and making recommendations regarding policy and operational changes that are intended to permit the County to better provide regional services and mandated local services (e.g., law and justice; land use planning; utilities and infrastructure, emergency services.). In addition the Task Force looked at discretionary services provided by the County, including parks, human services, public health, and specialized security services.

Ms. Reed and Mr. Thomas stated that the Task Force Report concludes that there is a fiscal crisis in the County's General Fund – as demonstrated by a mismatch between available revenues and funds required for responsible service provision. Key issues include the County's dual role as a regional and local service provider; the provision of discretionary services; growing costs of all services; the limited – and declining -- revenue base; subsidy of services (e.g., courts, jails, roads, utilities) to unincorporated urban areas and rural areas; and the complex, fragmented political organization that governs the County. The Task Force foresees a continuing decline in revenues and growth in service requirements absent major changes in the County's authority to raise funds or modify requirements for services.

The Task Force concluded that a range of efficiencies, new ways of doing business, revenue resources, and revenue/cost alignment are necessary to permit continuing regional and necessary local services. For example, while, by law, the County must continue to provide required services, there is a need to consider program options, streamlining of systems and methods of service delivery; new revenues and cost recovery, etc. There must be a means to end the subsidy to local services to urban areas.

More specifically, Ms. Reed and Mr. Thomas reported that the Task Force recommended that the County undertake the following activities:

1. **Initiate a comprehensive strategy to simultaneously encourage annexation and reduce the "urban" portion of the local service subsidy.** On a time-limited basis – the Task Force proposes three years at the longest – the County should re-direct its local revenues to encourage annexation and reduce the local subsidy. All local

revenues – particularly the unincorporated area property tax levy, Real Estate Taxes, and surface water management fees – should be made available in some degree to support this program. The goal is to focus as much money as feasible – on a time-limited basis – to secure annexation through agreements with cities and take immediate steps to reduce the subsidy by (1) reducing service levels and (2) reallocating local dollars to fund more of the local service budgets. At the end of this period, progress must be assessed, and new budget limits established to ensure that the subsidy is not a continuing local resource. This initiative should be launched as part of the 2004 budget.

The County must make a commitment to publicly promote annexation. It must be willing to start to immediately reduce services and realign expenditures. In partnership with cities, the County must initiate public dialogue to build grass roots support in PAAs for annexation. Residents must understand that they will see service reductions – and that the only way this can change is if the County imposes new taxes on them or if they annex. Outreach efforts must be tailored to the needs and characteristics of individual communities. The County cannot and should not try to buy annexations by, for example, eliminating infrastructure deficits. However, the County must be prepared to put substantial dollars on the table for cities (albeit far short of various estimates of 'urban infrastructure deficit') to promote annexation. Given the magnitude of the budget problem the region must understand the urgency and importance of achieving these remaining annexations.

Second, Cities cannot fairly insist that the County completely eliminate the subsidy if the urban areas do not in fact annex. Cities would themselves subsidize these areas. Service reductions are inevitable (and appropriate) absent new local revenue streams. But ultimately, if areas remain unincorporated, the cities cannot fairly continue to complain about the subsidy – and some nominal subsidy will, absent new revenue, be necessary to provide urban levels of service.

2. **Identify the basis and targets for cutting from all local service budgets as annexations occur.** Every effort must be made to reduce local service budgets commensurate with the loss of local revenues. Work must begin immediately to map out the basis on which these cuts will occur. Just as cities transfer tax dollars from their commercial areas to support residential neighborhoods, the County needs budget flexibility in directing its local service dollars. Dollar-for-dollar budget reductions may well be impossible as tax base gradually disappears, leaving potentially even more diffuse geographic service responsibility for the County. A few PAAs may now be net exporters of local service dollars: that may well be appropriate. However,
3. **Quantify the current rural subsidy and rural service levels – and track them over time.** Unless the region wishes to revisit its growth management vision, a rural subsidy is appropriate. But as part of the overall challenge of making the County budget more transparent, the rural subsidy and rural service levels should be quantified and tracked, so that the region can see that rural service levels are provided, and the price tag for doing so. As called for in the Countywide Planning Policies, rural service levels should be demonstrably lower than urban service levels.
4. **Consider seeking legislation to equalize taxing authorities as between cities and unincorporated areas.** In the long-term, if annexations do not occur, and the County's revenue problems continue, it may be necessary to seek new taxing authorities. The Task Force recognizes that this would take major state legislation, and would probably be a more costly alternative for these areas than annexing to neighboring cities, but the Task Force does not think the County should continue to sacrifice regional service levels to fund its local service responsibilities.

The Task Force also recommends that the County work with the State to:

- ◆ **Advocate for a change in state law that will provide for automatic transfer of local parks and recreation facilities to cities upon annexation.**
- ◆ **Identify means to streamline annexation laws and accelerate the annexation process.**

Ms. Reed and Mr. Thomas reported that the Executive and the Council have received the Task Force report and have responded positively to this information. Specific program planning and implementation is underway. For example, the County is planning programs to encourage annexation. This program directly relates to the mandate of the Board. County officials will keep the Board informed of issues and activities relative to the mission of the Board.

**B. AWC/WSAC Update:**

Mr. Thomas reported briefly that AWC/WASC officials are meeting this summer to discuss annexation-related matters. The cities are still eager to get a bill passed that deals with outside utility agreements. Mrs. Blauman reported that the State Senate will be holding a public hearing in Yakima on August 21, 2003, to consider this matter.

The AWC/WSAC consortium also wishes to meet concerning "transition" legislation. The meaning of that term is not clearly defined. However, the general consensus from observers is that the issue is most likely related to the requirements established in the recently adopted "island" bill. For example, this legislation requires interlocal agreements between a city and county – which makes the annexation process considerably more complex. Removal of the interlocal agreement requirements would streamline the annexation process. The core AWC/WSAC team has, to date, been unsuccessful in generating wide interest for these efforts.

Lenora Blauman reported that there is some indication that the AWC/WSAC group also intends "transition legislation" to address a continuing interest by WSAC/AWC in providing "clarification" to RCW to "guide" Boundary Review Boards. Such legislation would be of great interest to boundary review boards. Mr. Thomas, Mrs. Blauman and the WSABRB are keeping informed on this matter.

**V. ADMINISTRATION**

**A. Chair's Report**

Chair Denton reported that the Board has been working on several issues in the last month, including (1) coordination with the State Association on the development of draft guidelines for the legislative consultant; (2) facilities management; and (3) pre-development review of future Notices of Intention. Committee members and staff will report on each of these activities.

Chair Denton also reported that the King County Council has selected A. J. Culver to serve on the Citizens' Election Oversight Committee. Mr. Culver will be representing the Municipal League.

**B. Committee Reports**

Legislative Committee Report:

Roger Loschen reported (for Lloyd Baker) on discussions with the WSABRB Association Executive Committee deliberations concerning proposed Association's Legislative Committee Guidelines and for the Legislative Consultant Guidelines.

The King County Board presented the initial proposal for Legislative Committee Guidelines to the Association in May 2003.

The Board initially proposed Legislative Consultant Guidelines to the WSABRB Chair, Spencer Horning, in June, 2003. Mr. Horning requested that the Board revise the draft documents to

address his concerns about potential discrepancies between the proposed guidelines and the underlying Boundary Review Board enabling legislation (RCW 36.93, RCW 42.17, et al.). At the King County Board meeting (July 10, 2003), the Board agreed that our Legislative Committee would continue to work with the WSABRB to develop a mutually acceptable draft document on Legislative Consultant Guidelines. Mr. Baker and Mr. Loschen crafted a new document based upon direction of our Board. That document was sent to Spencer Horning, Association Chair. Mr. Horning distributed the document to the Association members in July. The draft Legislative Consultant Guidelines document was also distributed to the Boundary Review Board.

*(Note: The full text of the Legislative Consultant Guidelines was distributed to the Board on August 14, 2003; the text is also appended to this document – Attachment 1.)*

Mr. Loschen reported that the WSABRB Executive Committee met on August 4, 2003 to discuss the Association's responsibilities and authorities with respect to the State Legislature. The Committee made a decision to first consider the Legislative Committee Guidelines, proposed by our King County Board in May, 2003. The Legislative Consultant Guidelines (presented in July) were to then follow as the second focus of attention.

Mr. Loschen reported that the Legislative Committee Guidelines Scope of Service statement was the sole matter that was considered at this meeting. With respect to the Legislative Committee Guidelines, the Executive Committee discussed the historic, current, and potential future role of the Association with respect to its work with the Legislature. The group emphasized consideration of both legal and practical permissions and constraints.

At the conclusion of the meeting, the group was able to come to a preliminary agreement concerning the Legislative Committee Guidelines. The document describes the Association's legislative authorities and sets the framework for organization and management of legislative activities. It retains much of the language and format in the original document submitted to the WSABRB by King County.

*(Note: The revised Legislative Committee Guidelines are provided in Attachment 2 – with revisions denoted in **bold** type.)*

The Association Executive Committee also planned a future meeting to consider Legislative Consultant Guidelines. The group was not able to address suggestions for Legislative Consultant Guidelines at its August 4 meeting, due to time constraints. These topics will be included on the agenda at the WSABRB Executive Committee Meeting (October, 2003).

Mr. Loschen stated that he will provide periodic status reports to the King County Board on the progress of the Association in formulating Legislative Committee Guidelines and Legislative Consultant Guidelines.

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At the request of Roger Loschen, Chair Denton reopened a discussion (undertaken initially at the Regular Board Meeting of July 2003) concerning the role, authorities and responsibilities of the Boundary Review Board to the State Legislature.

Mr. Loschen stated that at the July 2003 Regular Meeting, Mr. Kaufman provided some information concerning the Board's responsibilities and authorities, as established by RCW 36.93 and RCW 42.17. Mr. Loschen expressed a concern that Mr. Kaufman's information concerning the Board's role at the State Legislature did not completely address the issues in question. More specifically, Mr. Loschen reported that he has some continuing concerns about those activities that may be permitted and prohibited for the Association and for its individual member boards.

Chair Denton invited comment upon Mr. Loschen's request for information proposed to be communicated to Mr. Kaufman. Several Board members stated an interest in obtaining more complete and definitive information from Mr. Kaufman relating to those political actions that are permitted (or prohibited) by RW 36.93 and RCW 42.17. There was general agreement

that clear legal standards and working guidelines must be available to those persons working with the State Legislature on behalf of the Association and its individual boards.

There was some discussion as to whether it would be most appropriate to submit a formal, written request to Mr. Kaufman or to raise the issues in a more informal discussion at a Board meeting. A majority of Board members generally supported a proposal to submit to Mr. Kaufman a document from the Board that outlines concerns relating to statutory authorities and proposed implementing policies for legislative services. It was generally agreed that this document should include a request for a formal reply to those inquiries in order to ensure that Mr. Kaufman will be able to provide complete directives that can serve the Board as a foundation for planning legislative services activities.

To that end, Mr. Loschen suggested that the Board pose specific written questions to Mr. Kaufman and request a written response to ensure that the Board and the Association are providing legislative services consistent with applicable law (e.g., RCW 36.93, RCW 42.17). Mr. Loschen suggested that the Board adopt a motion requesting the following information:

“To provide support and counsel to its representatives to the Executive Committee of the Washington State Association of Boundary Review Boards in its deliberations regarding guidelines for the Legislative Committee and legislative consultant, the King County BRB directs its Special Assistant Attorney General to prepare a written opinion on the following:

1. Substitute Amendment to the Legislative Guidelines, as amended by the WSABRB Executive Committee Aug. 4, 2003.
2. Legislative Consultant Selection Criteria, as transmitted to WSABRB by Lloyd Baker July 12, 2003.

Specifically, the Board requires guidance as to whether these proposed statements of policy are in accordance with state law, and particularly RW 36.93 and RCW 42.17.190, regarding lobbying. If, in the opinion of the Special Assistant Attorney General, any part of the proposed policies is not in accordance with statutes, he is requested to cite the specific part of the statute which governs and explain the discrepancy between the proposed policy and the statute.”

*Action: Ethel Hanis moved and Van Anderson seconded a motion to direct Lenora Blauman to transmit to Special Assistant Attorney General the statement proposed by Roger Loschen requesting information concerning the role, authorities and responsibilities of the Boundary Review Board (as representatives of the WSABRB to the State Legislature and that Robert Kaufman provide a formal written response to these inquiries by September 5, 2003. The motion was adopted by a unanimous vote.*

Meeting Facilities Location Team: Ellen Abellera reported on the efforts of the Meeting Facilities Location Team to secure a suitable site for our December Regular Meeting and Holiday Event. Ms. Abellera reported that the Best Western Executive Inn in Seattle (near to the Seattle Center) can provide suitable public meeting space and event facilities. Upon approval by the Board, Ms. Abellera will reserve space and make all arrangement for the Holiday gathering.

*Action: Roger Loschen moved and Judy Tessandore seconded the motion that Ms. Abellera secure meeting and event space for the Board at the Best Western Executive Inn for December 11, 2003. The motion was adopted by unanimous vote.*

Board Office Facilities Task Force: Judy Tessandore and Lenora Blauman reported that staff met with Tim Clancy, King County Leasing Supervisor, on July 30<sup>th</sup>. Mr. Clancy reported that the County is aware that the Board requires office quarters of approximately 1200 square feet. The County is considering several options relocation of the Board headquarters. Currently under consideration are the following facilities: (1) Yesler Building – 4<sup>th</sup> Floor; (2) the County Administration Building, (3) the Courthouse; (4) DDES Building in Renton; and (5) County owned facilities in Bellevue.

Mr. Clancy reports that permanent quarters for the Board would likely be available late in 2004. Other temporary facilities may be available for the Board – the likeliest location for interim quarters would be in the area vacated by Superior Court (Yesler Building – 4<sup>th</sup> floor).

Mrs. Blauman reported that, based upon currently available information, it appears that the Administration Building offers the most appropriate space for the Board quarters. The Courthouse would also be a suitable location for the Board. Facilities in Bellevue and Renton could be more convenient for clients and for Board meetings, however, due to distance from County offices and Council meetings, operation of the Board from those suburban locations could be considerably less efficient and more costly – e.g., travel to downtown for meetings, transmitting of documents, etc.

The Task Force and Board staff will continue to work with King County officials to secure an appropriate new, permanent location for the Board as quickly as possible. Progress reports will be provided to the Task Force and to the Board.

### **C. Executive Secretary's Report**

Pre-Development Services: Mrs. Blauman reported that staff is currently providing pre-development services to several jurisdictions that will be proposing actions in late 2003. For example, the Covington Water District is seeking guidance on annexation of lands currently served by a private water provider; Vashon Island is considering transfer of lands between water districts to permit development and service; and the Ronald Sewer District is planning for annexation of approximately 3,000 properties in Shoreline and the surrounding area.

WSABRB Conference: Mrs. Blauman reported that the WSABRB Fall Conference will take place on October 2-4 in Yakima. She encouraged Board members to plan to attend this conference. The sessions provide an opportunity to learn about current legislation and other requirements and opportunities for boundary review boards.

October Meeting Schedule: Mrs. Blauman reported that – due to the Association Conference in early October and due to her planned time away from the office in mid-October – the Board may wish to consider whether to reschedule the October Regular Meeting. The Board could conduct the meeting on the customary date (October 9) – in Mrs. Blauman's absence Mr. Holmes could administer this meeting. Alternatively, the Board may wish to reschedule the meeting to the week of October 20. It was noted that Mr. Kaufman will not be available on October 23, 2003.

*Action: Judy Tessandore moved and Ethel Hanis seconded a motion to reschedule the October Regular Meeting to October 22 – in the event that this rescheduling does not conflict with the required review period for any essential business (e.g., Notice of Intention). If the work program so requires, however, the Board will conduct the Regular Meeting on October 9, 2003. Notification of the meeting date will be duly provided to the Board members and to the public. The motion was adopted by unanimous vote.*

### **D. Correspondence**

Correspondence was reviewed briefly. No questions or issues were raised with respect to the substance of the correspondence.

## **VI. NEW BUSINESS**

### **A. Notices of Intention**

File No. 2151: City of Auburn – Heer Annexation: Mrs. Blauman presented a summary of the file. No questions or issues were raised concerning the substance of the file.

### **B. Pending Files**

- |               |                         |
|---------------|-------------------------|
| - Auburn      | - Covington             |
| - Kent        | - Ronald Sewer District |
| - Woodinville | - Kirkland              |
| - Federal Way | - Redmond               |
| - Renton      | - Snoqualmie            |
| - Tukwila     |                         |

## **VII. ADJOURNMENT**

Action: *Ethel Hanis moved and Roger Loschen seconded a motion to adjourn the Boundary Review Board Regular Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 9:10 p.m.*



## **WASHINGTON STATE BOUNDARY REVIEW BOARD ASSOCIATION**

### **LEGISLATIVE CONSULTANT SELECTION CRITERIA**

The King County Board recognizes and appreciates the efforts of the Legislative Committee of the WSABRB to retain a consultant during the legislative session. The Board understands that the consultant is to monitor legislative proposals and report on these proposals within the scope established by the Committee. The consultant is to report to the chair through the legislative liaison.

Our Board suggests that a consultant shall provide timely and comprehensive analysis of proposals to identify those matters affecting BRB interests; the consultant shall advise the Legislative Committee regarding strategy to advance the legitimate interests of the WSABRB; the consultant shall assist the legislative liaison in dealing with legislators and their staff; the consultant shall provide frequent progress reports through the legislative liaison. As directed by the WSABRB Committee, the consultant shall represent the WSABRB in direct contact with legislators and staff, at hearings, and other such opportunities.

In order to ensure that the requirements of WSABRB are achieved, a job description should be created for the Legislative Consultant, detailing sufficient information to allow candidates to realistically understand the minimal expectations and requirements of the position. The description should be concise and precise so that it may be utilized as an interviewing tool in the screening process. Duties should be outlined in a job summary approach, such as:

- Effectively develop a report that informs the BRB of all pending/proposed legislation that may affect BRB functions.
- Interface with all levels of legislative personnel.
- Ensure status reporting is accurate, complete and on-time.

A further category on the job description should be Required Skills. For example the consultant should demonstrate: Excellent oral and written communication skills; Excellent organizational abilities; Excellent interpersonal skills.

In sum, at a minimum, candidates for this position should demonstrate these qualifications:

- Strong information-gathering skills, analytical skills, and communication skills;
- Supervisory skills;
- Multi-disciplinary profile
- Background in political science;
- Commitment to the principles and vision of the organization.

We realize that these suggestions are brief and rather generic statements. The ideas presented here are intended to generate discussion and decision making by the Association's Executive Committee. We look forward to consideration of these materials – and other suggestions – at our upcoming WSABRB Executive Committee meeting.

SUBSTITUTE AMENDMENT, ADOPTED BY KING COUNTY BRB MAY 8, 2003, FOR SUBMISSION TO WSABRB EXECUTIVE COMMITTEE TABLED AT WSABRB EXECUTIVE COMMITTEE IN ELLENSBURG MAY 15, 2003.

**AMENDMENTS MADE AUG. 4, 2003 IN ISSAQUAH BY WSABRB EXECUTIVE COMMITTEE (BOLD).**  
APPROVED AS AMENDED AUG. 4, 2003, BY WSABRB EXECUTIVE COMMITTEE FOR SUBMISSION TO ENTIRE MEMBERSHIP AT OCTOBER 2003 CONFERENCE IN YAKIMA, SUBJECT TO CONSENSUAL APPROVAL OF FINAL DRAFT.

## LEGISLATIVE COMMITTEE GUIDELINES

*"Legislative Committee: This committee is responsible for developing, monitoring, reviewing and responding to legislative proposals which affect board powers and responsibilities under RCW 36.93 and the capabilities of boundary review boards to perform according to legislative purpose and intent."—By-laws of the Washington State Association of Boundary Review Boards*

The Legislative Committee will monitor bills, which affect annexations and the annexation process, incorporations and ~~—(DELETE ALL TEXT TO THE END) ...any pertinent information to the committee.~~

### Add

**Scope.** The Legislative Committee, **with approval of the Executive Committee**, shall formulate and communicate the official position of the WSABRB on legislative proposals affecting the mission and function of boundary review boards, ~~particularly those affecting the Boundary Review Board Act (RCW 36.93) and the Growth Management Act (RCW 36.70A), including any proposals affecting the resolution of boundary actions among cities and towns and special purpose districts (except school districts), and including proposals affecting administrative procedure, such as the Open Public Meetings Act (RCW 42.30), and Appearance of Fairness Doctrine (RCW 42.36).~~

**Membership.** The WSABRB chair shall appoint the chair and members of the Legislative Committee from among boundary review board members statewide, and they shall serve at the pleasure of the WSABRB chair.

**Legislative Liaison.** The legislative liaison **shall be appointed by the WSABRB president, and** shall be responsible directly to the chair of the Legislative Committee, and shall provide staff support to the Committee, including efficient facilitation of communication among members of the Legislative and Executive Committees, the legislative consultant, legislators and staff, and other parties as appropriate.

**Legislative Consultant.** The Legislative Committee may, **with approval of the Executive Committee**, retain a consultant ~~during the legislative session annually~~ to monitor and report legislative proposals within the scope of the Committee, reporting to the chair through the legislative liaison. ~~The consultant shall provide timely and comprehensive analysis of proposals to identify those affecting BRB interests; the consultant shall advise the Committee regarding strategy to advance the position of the WSABRB; the consultant shall assist the legislative liaison in dealing with legislators and their staff; the consultant shall provide frequent progress reports through the legislative liaison. As directed by the Committee, the consultant shall~~

~~represent the WSABRB and its positions on issues in direct contacts with legislators and staff, and at hearings and other such opportunities.~~

**Procedure.** Any ~~Legislative Committee~~ **boundary-review-board member or staff** member may raise issues for consideration by the WSABRB; ~~additionally, it—#~~ shall be the particular responsibility of the legislative consultant and legislative liaison to identify legislative proposals that may fall within the scope of the Committee, and to circulate timely and comprehensive information to all Committee members. The Committee chair shall determine, by consensus or majority vote of the Committee, whether the WSABRB should take a position on the issue. Committee members shall respond expeditiously, to facilitate timely action.

**Position Statement.** When the WSABRB takes a position, the Committee chair may designate a member or staff to draft a position statement reflecting the consensus on the issue. ~~At his discretion, the~~ **The** Committee chair ~~may~~ **shall** refer the issue and the proposed position statement to the WSABRB ~~chair~~ **president**, who ~~may~~ **shall** in turn refer the matter to the WSABRB Executive Committee. When the position statement has been approved, either by consensus or majority vote of the Legislative Committee ~~or~~ **and** the WSABRB Executive Committee, it becomes official policy of the WSABRB. No other statement shall be promulgated as WSABRB policy, or be published as a WSABRB document. No boundary-review-board member nor staff shall represent any other statement as WSABRB policy.

**REGARDING GUIDELINES PROPOSED FOR THE WASHINGTON STATE ASSOCIATION OF  
BOUNDARY REVIEW BOARDS LEGISLATIVE COMMITTEE AND LEGISLATIVE CONSULTANT,**

**MOTION PROPOSED BY ROGER LOSCHEN**

**AUGUST 14, 2003**

To provide support and counsel to its representatives to the Executive Committee of the Washington State Association of Boundary Review Boards in its deliberations regarding guidelines for the Legislative Committee and legislative consultant, the King County BRB directs its Special Assistant Attorney General to prepare a written opinion on the following policy statements:

1. Substitute Amendment to the Legislative Guidelines, as amended by the WSABRB Executive Committee Aug. 4, 2003.
2. Legislative Consultant Selection Criteria, as transmitted to WSABRB by Lloyd Baker July 12, 2003.

Specifically, the Board requires guidance as to whether these proposed statements of policy are in accordance with state law, and particularly RCW 36.93, and RCW 42.17.190, regarding lobbying by public officers and agencies.

If, in the opinion of the Special Assistant Attorney General, any part of the proposed policies is not in accordance with statutes, he is requested to cite the specific part of the statute which governs and to explain the discrepancy between the proposed policy and the statute.